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10/781,628	02/20/2004	Takashi Murai	Q79816	4140
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SUITE 800 WASHINGTO	N, DC 20037		ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Diffice Action Summary Total Examiner Art Unit 2617
Willie J. Daniel, Jr. 2617 The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(s). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. Fabric to reply whith the provisions of 37 CFR 1.136(s). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. Fabric to reply whith the provisions of 37 CFR 1.136(s). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. Fabric to reply whith the provisions of 37 CFR 1.136(s). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). Status 1)
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Priority under 35 U.S.C. § 119
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No
3. Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
Attachment(s)
1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date. Notice of Informal Patent Application
Paper No(s)/Mail Date 6) Other:

DETAILED ACTION

This action is in response to applicant's amendment filed on 28 May 2007. Claims 1-4 and
 7-11 are now pending in the present application and claims 5-6 and 12-15 are cancelled.
 This office action is made Non-Final.

Claim Rejections - 35 USC § 103

- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayres et al. (hereinafter Ayres) (US 2003/0078986 A1) in view of Cohn et al. (hereinafter Cohn) (US 2002/0065074 A1) and further supported by Mangal et al. (hereinafter Mangal) (US 6,865,398 B2).

Regarding **claims 1 and 7**, Ayres discloses a method for distributing video (e.g., multimedia MM) information to a mobile phone from a video contents server (e.g., multimedia distribution server - MDK 12, 14, 16), based on push technology, said video contents server configured to store therein the video information to be distributed, under control of a user management server (MDK server 140) which controls user registration and video information distribution (see pg. 4, [0039-0040]), comprising:

registering a user request for a video information distribution service about an area to the user management server in advance (see pg. 1, [0009-0010]; pg. 4, [0045]), where the MDK server 140 includes a subscriber registration module (142);

detecting that the mobile phone exits in an area (see pg. 1, [0009-0010]; pg. 4, [0039-0040, 0045]); and

when said detecting results in a detection of the mobile phone exists in the area (see pg. 2, [0020]),

distributing the video information about the area from the video contents server to the mobile phone based on said push technology (see pg. 2, [0020]; pg. 5, [0053]), and

displaying the video information in real time (see pg. 2, [0020]). Ayres does not specifically disclose having the feature if the video information has not already been provided to the mobile phone that is not use. However, the examiner maintains that the feature if the video information has not already been provided to the mobile phone was well known in the art, as taught by Cohn.

In the same field of endeavor, Cohn discloses the feature if the video information has not already been provided to the mobile phone (e.g., wireless handheld device 18) that is not in use (see pg. 2, [0022, 0024, 0036]; pg. 3, [0050]), where the device can receive single use video content. Also, Cohn further discloses the feature mobile phone that is not in use (see pgs. 1-2, [0013]), where the wireless device lost connection (in other words, not in use) and has to re-establish the communication link to receive the data not received, or the content can be delivered to the device and reviewed thereafter (see pg. 2, [0022, 0024]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ayres and Cohn to have the feature if the video information has not already been provided to the mobile phone that is not in use, in order to provide wireless delivery, downloading, playback and management of multimedia content on a mobile device, as taught by Cohn (see pg. 1, [0011]). The combination of Ayres and Cohn clearly discloses the features as indicated above as evidenced by the fact that one of ordinary skill in the art would clearly recognize. In addition to the above, the examiner maintains that the feature mobile phone that is not in use was well known in the art, as taught by Mangal.

As further support in the same field of endeavor, Mangal discloses the feature mobile phone (e.g., MS 14) that is not in use (see col. 13, lines 19-31,57-62; col. 14, lines 4-13), where the system has to establish a communication path for the terminating MS 14 to receive the video.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ayres and Cohn as further supported by Mangal to have the feature mobile phone that is not in use, in order to reduce call setup from the user perspective by buffering an initial media transmission until a link exists to transmit the media further, as taught by Mangal (see col. 4, lines 35-47).

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Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ayres et al. (hereinafter Ayres) (US 2003/0078986 A1) in view of Cohn et al. (hereinafter Cohn) (US 2002/0065074 A1) and further supported by Mangal et al. (hereinafter Mangal) (US 6,865,398 B2) as applied to claim 7 above, and further in view of Jang (US 2004/0229655 A1).

Regarding **claim 8**, Ayres, as applied above in claim 7, discloses the feature the mobile phone displays the saved video information in response to a user's instruction (see pg. 3, [0027]). Ayres does not specifically disclose having the features wherein when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, causing the mobile phone to save the distributed video information, and further wherein when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone, the mobile phone displays the distributed video information for only a time period, and thereafter the mobile phone stops displaying the video information and saves the remaining video information distributed after the time period has elapsed. However, the examiner maintains that the feature further wherein when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone was well known in the art, as taught by Cohn.

Cohn further discloses the feature further wherein when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone (e.g., wireless handheld device 18) that is not in use (see pg. 2, [0022, 0024, 0036]; pg. 3, [0050]), where the device can receive single use video content. Also, Cohn

further discloses the feature mobile phone that is not using the mobile phone (see pgs. 1-2, [0013]), where the wireless device lost connection (in other words, not in use) and has to reestablish the communication link to receive the data not received, or the content can be delivered to the device and reviewed thereafter (see pg. 2, [0022, 0024]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ayres and Cohn to have the feature further wherein when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone, in order to provide wireless delivery, downloading, playback and management of multimedia content on a mobile device, as taught by Cohn (see pg. 1, [0011]). The combination of Ayres and Cohn does not specifically disclose having the features wherein when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, causing the mobile phone to save the distributed video information, and further wherein when the video information is distributed from the video contents server to the mobile phone, the mobile phone displays the distributed video information for only a time period, and thereafter the mobile phone stops displaying the video information and saves the remaining video information distributed after the time period has elapsed. However, the examiner maintains that the features wherein when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, causing the mobile phone to save the distributed video information, and further wherein when the video information is distributed from the video contents server to the mobile phone, the mobile phone displays the distributed video information for only a time period, and thereafter the

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mobile phone stops displaying the video information and saves the remaining video information distributed after the time period has elapsed was well known in the art, as taught by Jang.

In the same field of endeavor, Jang discloses the features

wherein when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, causing the mobile phone to save the distributed video information (see pg. 1, [0007-0008]; pg. 2, [0018-0019,0021]);

further wherein when the video information is distributed from the video contents server to the mobile phone, the mobile phone displays the distributed video information for only a time period (see pg. 1, [0007-0008]; pg. 2, [0025-0028]), and

thereafter the mobile phone stops displaying the video information and saves the remaining video information distributed after the time period has elapsed (see pg. 1, [0007-0008]; pg. 2, [0025-0028]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ayres, Cohn, Mangal, and Jang to have the features wherein when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, causing the mobile phone to save the distributed video information, and further wherein when the video information is distributed from the video contents server to the mobile phone, the mobile phone displays the distributed video information for only a time period, and thereafter the mobile phone stops displaying the video information and saves the remaining video information distributed after the time period has elapsed, in order to provide a mobile terminal having a time shift function

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and a method thereof in which multimedia data received in real-time can be provided to a mobile user at a desired time, as taught by Jang (see pg. 1, [0008]).

Claims 2-4 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayres et al. (hereinafter Ayres) (US 2003/0078986 A1) in view of Trossen et al. (hereinafter Trossen) (US 2004/0111476 A1), Jang (US 2004/0229655 A1), and Cohn et al. (hereinafter Cohn) (US 2002/0065074 A1).

Regarding **claims 2-4 and 9**, Ayres discloses a method for distributing video (e.g., multimedia MM) information to a mobile phone from a video contents server (e.g., multimedia distribution server - MDK 12, 14, 16), based on push technology, said video contents server configured to store therein the video information to be distributed, under control of a user management server (MDK server 140) which controls user registration and video information distribution (see pg. 4, [0039-0040]), comprising:

registering a user request for a video information distribution service about an area to the user management server in advance (see pg. 1, [0009-0010]; pg. 4, [0045]), where the MDK server 140 includes a subscriber registration module (142);

detecting that the mobile phone exits in an area (see pg. 1, [0009-0010]; pg. 4, [0039-0040, 0045]);

distributing video information from the video contents server to the mobile phone based on said push technology (see pg. 2, [0020]; pg. 5, [0053]);

causing the mobile phone to display the saved video information on the basis of a user's instruction (see pg. 3, [0027]). Trossen does not specifically disclose having the features

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detecting traffic of a radio channel connected to the mobile phone; and when the detected traffic is lower than a threshold, distributing video information from the video contents server to the mobile phone based on said push technology; when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, causing the mobile phone to save the distributed video information; when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone, causing the mobile phone to display the distributed video information for only a time period, and thereafter causing the mobile phone to stop displaying the video information and save the remaining video information distributed after the time period has elapsed. However, the examiner maintains that the features detecting traffic of a radio channel connected to the mobile phone; and when the detected traffic is lower than a threshold, distributing video information from the video contents server to the mobile phone based on said push technology was well known in the art, as taught by Trossen.

In the same field of endeavor, Trossen discloses the features detecting traffic of a radio channel connected to the mobile phone; and when the detected traffic is lower than a threshold, distributing video information from the video contents server to the mobile phone based on said push technology (see pg. 4, [0033]; pg. 7, 0046-0047]), where the message recipient can define a recipient rule that only permits delivery of specific portions of multimedia messages, such as text portions of multimedia messages that also contain, for example, graphic, audio, and/or video content; and a network rule for message delivery can be defined based on an amount of traffic on the network over which the media content is to

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be delivered, such as sending the media content when the network traffic is below a threshold (see pg. 7, 0046-0047]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ayres and Trossen to have the features detecting traffic of a radio channel connected to the mobile phone; and when the detected traffic is lower than a threshold, distributing video information from the video contents server to the mobile phone based on said push technology, in order to allow rules to be defined so as to facilitate fast, efficient and expensive delivery of media content to subscribers, as taught by Trossen (see pg. 2, [0014]; pg. 10, [0068]). The combination Ayres and Trossen does not specifically disclose having the features when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, causing the mobile phone to save the distributed video information; when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone, causing the mobile phone to display the distributed video information for only a time period, and thereafter causing the mobile phone to stop displaying the video information and save the remaining video information distributed after the time period has elapsed. However, the examiner maintains that the features when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, causing the mobile phone to save the distributed video information; when the video information is distributed from the video contents server to the mobile phone, causing the mobile phone to display the distributed video information for only a time period, and thereafter causing the mobile phone to stop displaying the video information and save the

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remaining video information distributed after the time period has elapsed was well known in the art, as taught by Jang.

Jang further discloses the features

when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, causing the mobile phone to save the distributed video information (see pg. 1, [0007-0008]; pg. 2, [0018-0019,0021]);

when the video information is distributed from the video contents server to the mobile phone, causing the mobile phone to display the distributed video information for only a time period (see pg. 1, [0007-0008]; pg. 2, [0025-0028]), and

thereafter causing the mobile phone to stop displaying the video information and save the remaining video information distributed after the time period has elapsed (see pg. 1, [0007-0008]; pg. 2, [0025-0028]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ayres, Trossen, and Jang to have the features when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, causing the mobile phone to save the distributed video information; when the video information is distributed from the video contents server to the mobile phone, causing the mobile phone to display the distributed video information for only a time period, and thereafter causing the mobile phone to stop displaying the video information and save the remaining video information distributed after the time period has elapsed, in order to provide a mobile terminal having a time shift function and a method thereof in which multimedia data received in real-time can be provided to a

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mobile user at a desired time, as taught by Jang (see pg. 1, [0008]). The combination of Ayres, Trossen, and Jang does not specifically disclose having the feature when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone. However, the examiner maintains that the feature when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone was well known in the art, as taught by Cohn.

Cohn further discloses the feature when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone (e.g., wireless handheld device 18) that is not in use (see pg. 2, [0022, 0024, 0036]; pg. 3, [0050]), where the device can receive single use video content. Also, Cohn further discloses the feature mobile phone that is not in use (see pgs. 1-2, [0013]), where the wireless device lost connection (in other words, not in use) and has to re-establish the communication link to receive the data not received.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ayres, Trossen, Jang, and Cohn to have the feature when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone that is not in use, in order to provide wireless delivery, downloading, playback and management of multimedia content on a mobile device, as taught by Cohn (see pg. 1, [0011]).

Regarding **claim 10**, Ayres, as applied above in claim 9, discloses wherein said video information about the area is distributed from the video contents server via said push technology (see pg. 1, [0009-0010]; pg. 4, [0045]), where the MDK server 140 includes a

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subscriber registration module (142). Trossen does not specifically disclose having the features wherein when said traffic is lower than the threshold and when the mobile phone is in the area. However, the examiner maintains that the features wherein when said traffic is lower than the threshold and when the mobile phone is in the area was well known in the art, as taught by Trossen.

Trossen further discloses the features wherein when said traffic is lower than the threshold and when the mobile phone is in the area (see pg. 4, [0033]; pg. 7, 0046-0047]), where the message recipient can define a recipient rule that only permits delivery of specific portions of multimedia messages, such as text portions of multimedia messages that also contain, for example, graphic, audio, and/or video content; and a network rule for message delivery can be defined based on an amount of traffic on the network over which the media content is to be delivered, such as sending the media content when the network traffic is below a threshold (see pg. 7, 0046-0047]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ayres, Trossen, Jang, and Cohn to have the features wherein when said traffic is lower than the threshold and when the mobile phone is in the area, in order to allow rules to be defined so as to facilitate fast, efficient and expensive delivery of media content to subscribers, as taught by Trossen (see pg. 2, [0014]; pg. 10, [0068]).

Regarding **claim 11**, Ayres, as applied above in claim 9, discloses the features the mobile phone saves the distributed video information (see pg. 7, [0079]); the mobile phone displays the saved video information in response to a user's instruction (see pg. 3, [0027]).

Ayres does not specifically disclose having the feature wherein when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, the mobile phone saves the distributed video information, and further wherein when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone, the mobile phone displays the distributed video information for only a time period, and thereafter the mobile phone stops displaying the video information and saves the remaining video information distributed after the time period has elapsed. However, the examiner maintains that the features wherein when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, the mobile phone saves the distributed video information, and further wherein when the video information is distributed from the video contents server to the mobile phone, the mobile phone displays the distributed video information for only a time period, and thereafter the mobile phone stops displaying the video information and saves the remaining video information distributed after the time period has elapsed was well known in the art, as taught by Jang.

In the same field of endeavor, Jang discloses the features

wherein when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, the mobile phone saves the distributed video information (see pg. 1, [0007-0008]; pg. 2, [0018-0019,0021]);

further wherein when the video information is distributed from the video contents server to the mobile phone, the mobile phone displays the distributed video information for only a time period (see pg. 1, [0007-0008]; pg. 2, [0025-0028]), and

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thereafter the mobile phone stops displaying the video information and saves the remaining video information distributed after the time period has elapsed (see pg. 1, [0007-0008]; pg. 2, [0025-0028]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ayres, Trossen, and Jang to have the features wherein when said video information is distributed from the video contents server to the mobile phone while a user is using the mobile phone, the mobile phone saves the distributed video information, and further wherein when the video information is distributed from the video contents server to the mobile phone, the mobile phone displays the distributed video information for only a time period, and thereafter the mobile phone stops displaying the video information and saves the remaining video information distributed after the time period has elapsed, in order to provide a mobile terminal having a time shift function and a method thereof in which multimedia data received in real-time can be provided to a mobile user at a desired time, as taught by Jang (see pg. 1, [0008]). The combination of Ayres, Trossen, and Jang does not specifically disclose having the feature wherein when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone. However, the examiner maintains that the feature wherein when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone was well known in the art, as taught by Cohn.

Cohn further discloses the feature wherein when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone (e.g., wireless handheld device 18) that is not in use (see pg. 2, [0022, 0024, 0036]; pg.

3, [0050]), where the device can receive single use video content. Also, Cohn further discloses the feature mobile phone that is not in use (see pgs. 1-2, [0013]), where the wireless device lost connection (in other words, not in use) and has to re-establish the communication link to receive the data not received.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Ayres, Trossen, Jang, and Cohn to have the feature wherein when the video information is distributed from the video contents server to the mobile phone while the user is not using the mobile phone that is not in use, in order to provide wireless delivery, downloading, playback and management of multimedia content on a mobile device, as taught by Cohn (see pg. 1, [0011]).

Response to Allowable Subject Matter

3. The indicated allowability of claims 1, 4-11, 13, and 15 are withdrawn in view of the newly discovered reference(s) Cohn, Mangal, and Jang. Rejections based on the newly cited reference(s) are above.

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Response to Arguments

4. Applicant's comments with respect to claims 1-4 and 7-11 have been considered but are most in view of the new ground(s) of rejection.

In response to applicant's comments, the Examiner respectfully disagrees as the applied reference(s) provide more than adequate support and to further clarify (see the above claims for relevant citations and comments in this section).

Conclusion

- The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
 - a. Poltorak (US 2007/0037549 A1) discloses an apparatus and method for providing emergency broadcast information via a media playing device.
 - b. Vo (US 6,970,712 B1) discloses a real time replay service for communications network.
 - c. Heinonen et al. (US 7,107,010 B2) discloses a short-range radio terminal adapted for data streaming and real time services.
 - d. Bloebaum et al. (US 2007/012907 A1) discloses a system, method and device for providing secondary information to a communication device.
- 6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Willie J. Daniel, Jr. whose telephone number is (571) 272-7907. The examiner can normally be reached on 8:30-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/WJD,JR/

WJD,JR 17 July 2007

CHARLES N. APPIAH
SUPERVISORY PATENT EXAMINER